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*Attorneys for Plaintiffs*  
STARBUCKS CORPORATION and  
STARBUCKS U.S. BRANDS L.L.C.

*Attorneys for Defendant*  
WOLFE'S BOROUGH COFFEE, INC. d/b/a  
BLACK BEAR MICRO ROASTERY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STARBUCKS CORPORATION, a Washington  
corporation; and STARBUCKS U.S. BRANDS  
L.L.C., a California corporation,

Plaintiffs,

v.

WOLFE'S BOROUGH COFFEE, INC., a New  
Hampshire corporation d/b/a BLACK BEAR  
MICRO ROASTERY,

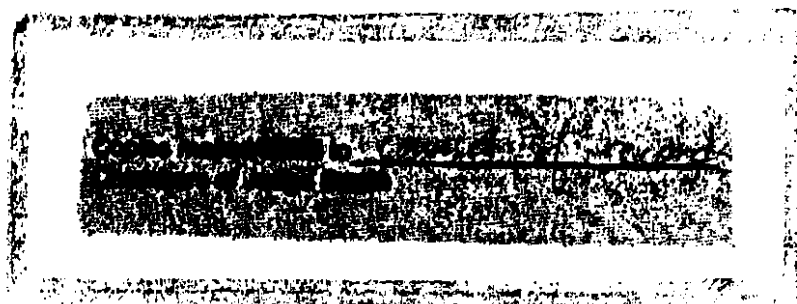
Defendant.

No. 01-CV-5981 (LTS)(THK)

**MEMO ENDORSED**

**JOINT REPORT TO THE COURT**

Pursuant to the Court's January 11, 2010 Order, plaintiffs Starbucks Corporation and Starbucks U.S. Brands L.L.C. (together, "Starbucks") and defendant Wolfe's Borough Coffee, Inc. d/b/a Black Bear Micro Roastery ("Black Bear"), have consulted with each other concerning the need for future proceedings and jointly submit this Report to the Court detailing the parties positions.



The parties have agreed to meet telephonically by March 17, 2010, to discuss settlement of the case, or at least the contours of what each party believes is a possible solution to the dispute. The parties further agree that formal mediation before Magistrate Judge Theodore H. Katz is appropriate and that such mediation shall be conducted in New York, at Magistrate Judge Katz's and the parties' earliest convenience after the March 17, 2010, telephone conference.

In the light of the foregoing, Black Bear respectfully requests permission to attend the March 4, 2010, Status Conference with the Court by telephone. Starbucks does not oppose Black Bear's request.

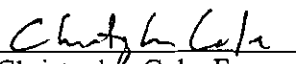
Respectfully submitted,

Dated: February 22, 2010

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By:   
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WOLFE'S BOROUGH COFFEE, INC. d/b/a  
BLACK BEAR MICRO ROASTERY*

*The request of Black Bear's counsel to participate telephonically in the March 4, 2010, conference is granted. The time of the conference is hereby rescheduled to 11:00AM. This case is hereby designated an ECF case. Counsel must register promptly in accordance with the Court's ECF procedures. This case is hereby reopened.*

SO ORDERED.

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NEW YORK, NY

  
LAURA TAYLOR SWAIN  
FEB 25, 2010 UNITED STATES DISTRICT JUDGE